

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 245 be amended to read as follows:

- 1 Page 10, line 1, delete "Subject to subsection (e), during" and insert
- 2 **"During"**.
- 3 Page 10, line 6, delete "2006. Subject to subsection (h), a provider
- 4 may" and insert **"2006, if the provider offers broadband service to**
- 5 **at least fifty percent (50%) of the households located in the local**
- 6 **exchange area, at the average speeds set forth in subsection (a), as**
- 7 **determined by the commission after notice and an opportunity for**
- 8 **hearing. The commission may make a determination as to whether**
- 9 **a provider offers broadband service to at least fifty percent (50%)**
- 10 **of the households in a local exchange area upon petition by the**
- 11 **provider or on the commission's own motion. However, if a**
- 12 **provider petitions the commission to make a determination under**
- 13 **this subsection, the commission must make its determination not**
- 14 **later than ninety (90) days after the filing of the petition. If, after**
- 15 **notice and opportunity for hearing, the commission determines**
- 16 **under this subsection that a provider offers broadband service to**
- 17 **at least fifty percent (50%) of the households in a local exchange**
- 18 **area, the provider may increase the provider's flat monthly rate for**
- 19 **basic telecommunications service in the local exchange area,**
- 20 **beginning with the second monthly billing cycle following the**
- 21 **monthly billing cycle during which the commission makes its**
- 22 **determination. An increase in the flat monthly rate for basic**
- 23 **telecommunications service under this subsection is subject to**
- 24 **subsection (f) and the following:"**.
- 25 Page 10, delete lines 7 through 8.

- 1 Page 10, line 17, delete "or".
2 Page 10, line 20, delete "subdivision;" and insert "**subdivision; or**
3 **(C) imposes its first increase under this subsection in a**
4 **monthly billing cycle that follows the monthly billing cycle**
5 **in which the provider is first eligible to do so under this**
6 **subsection;**".
7 Page 10, line 41, delete "subsections (e) and (h)," and insert
8 "**subsection (f) and a determination by the commission under**
9 **subsection (c),**".
10 Page 11, delete lines 19 through 42.
11 Page 12, delete lines 1 through 20.
12 Page 12, line 21, delete "(g)" and insert "**(e)**".
13 Page 12, line 36, delete "(h)" and insert "**(f)**".
14 Page 13, line 4, delete "(i)" and insert "**(g)**".
(Reference is to ESB 245 as printed February 22, 2006.)

Representative Saunders